

REMARKS

The above-referenced patent application has been reviewed in light of the Office Action, dated May 13, 2004, in which: Drawings and lack of Summary are objected to; and claims 1-2, 5, and 8 are rejected under 35 USC 102(b) as being anticipated by McClure, claim 14 is rejected under 35 U.S.C. 112 first paragraph, and claims 3-4, 6-7, 9-17 are rejected under 35 USC 103 as being unpatentable over McClure in view of Crouch.

Reconsideration of the above-referenced patent application in view of the foregoing amendments and the following remarks is respectfully requested.

Claims 1, 10, 14 have been amended and claim 17 has been deleted. Therefore, claims 1-16 are pending in the application.

Drawings

Formal drawings have been submitted to the draftsman in a separate letter.

Summary Rejection

The Office Action first refers to the preferred layout of the specification as described in 37 C.F.R. Section 1.77(b) and in MPEP section 608.01(a) and specifically objects to a missing "Brief Summary of the Invention Section." However, Applicant notes that the requirements of Section 1.77(b) are merely guidelines. "The specification should include the following sections in order... (6) Brief Summary of the Invention." 37 C.F.R. 1.77(b), emphasis added. As to the specific section "Brief Summary of the Invention" as described in MPEP section 608.01(d) following 37 CFR 1.73, an Applicant cannot be "required to provide" this section as the Office Action asserts. As the Federal Courts have noted, it is 'important to note that the language of § 1.73 is not mandatory (ie. "should" as opposed to "must").' Fox Industries, Inc. v. Structural Preservation Sys., 6 U.S.P.Q.2D (BNA) 1577.

35 USC 112 rejection

The Applicant has amended the claim to overcome this rejection by deleting the debated element.

35 USC 102 rejection

The Applicant has amended the independent claims to reflect the ability to store a valid bit and a status bit for each cache line. As depicted in the specification, the valid bit indicates whether the respective cache line is valid, for example, with respect to a MESI protocol. (support in the Specification is in several figures, for example, Page 6 first full paragraph).

The cited art does not teach or discuss the ability to store a valid and status bit for each cache line. Therefore, the Applicant respectfully asserts the pending claims are novel and patentable.

35 USC 103 rejection

The Applicant respectfully asserts this rejection is moot in view of the present amendments as discussed in the 102 rejection.

CONCLUSION

In view of the foregoing, it is respectfully asserted that all of the claims pending in this patent application, as amended, are in condition for allowance. If the Examiner has any questions, he is invited to contact the undersigned at (503) 712 8918.

Reconsideration of this patent application and early allowance of all the claims is respectfully requested.

Respectfully submitted,



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